

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TITUS HENDERSON,

Plaintiff,

v.

DYLAN RADTKE, et al.

Defendants.

ORDER

Case No. 21-cv-598-jdp

On October 1, 2021, the court entered an order giving plaintiff Titus Henderson until October 22, 2021, to submit either the \$402 filing fee or a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint in support a request to proceed without prepayment of the filing fee.

Now plaintiff has filed a motion for reconsideration and a motion to waive the partial filing fee because he says that he is indigent and was found to be indigent in previous cases. Attached to plaintiff's motion for reconsideration is an interview/information request that shows on September 8, 2021, plaintiff was approved for a \$100 legal loan. However, plaintiff does not submit any evidence to show his present indigency status or that he attempted to obtain a copy of his six-month trust fund statement with his legal loan. Accordingly, I will give plaintiff a deadline to provide a trust fund account statement for the six-month period immediately preceding the filing of the complaint. If by December 1, 2021, plaintiff is unable to obtain a six-month trust fund account statement, plaintiff should submit documentation that shows the efforts he has taken to obtain the six-month account statement.

ORDER

IT IS ORDERED that:

1. Plaintiff Titus Henderson's motion to waive the partial filing fee in this case, dkt. 3, and motion for reconsideration, dkt. 4, are DENIED without prejudice.
2. Plaintiff may have until December 1, 2021, to submit a certified trust fund account statement for the period beginning approximately March 22, 2021 and ending approximately September 22, 2021 or show cause for failure to do so. If, by December 1, 2021, plaintiff fails to respond to this order, this case will remain closed.

Entered this 10th day of November, 2021.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge